

Trust Board – 31st January 2023

Freedom to Speak Up: half yearly report

The role of the Freedom to Speak Up (FTSU) guardian is to work alongside the trust leadership teams to support the Leicestershire Partnership NHS Trust in becoming a more open and transparent place to work, where all staff are actively encouraged and enabled to speak up safely. In practice this role can be seen to have 2 key strands: reactive work supporting staff to speak up to improve patient care and the staff experience and proactive work to raise awareness and embed the key FTSU messages making 'speaking up is business as usual'. This report seeks to provide assurance in both of these areas. This report seeks to provide assurance in both of these areas.

Purpose

The purpose of this report is to provide the Board with an update on the F2SU activity during Q2 and Q3 2022/23 and will be presented in 3 parts as recommended in the Freedom to Speak Up: A guide for leaders in the NHS. The report includes comparative data on numbers of cases per year over the period Q1 18/19 – Q3 22/23 and a breakdown of the number of cases raised through the FTSU route during the periods Q2 and Q3 22/23. This will also include broad analysis of themes or trends within the organisation and actions being taken.

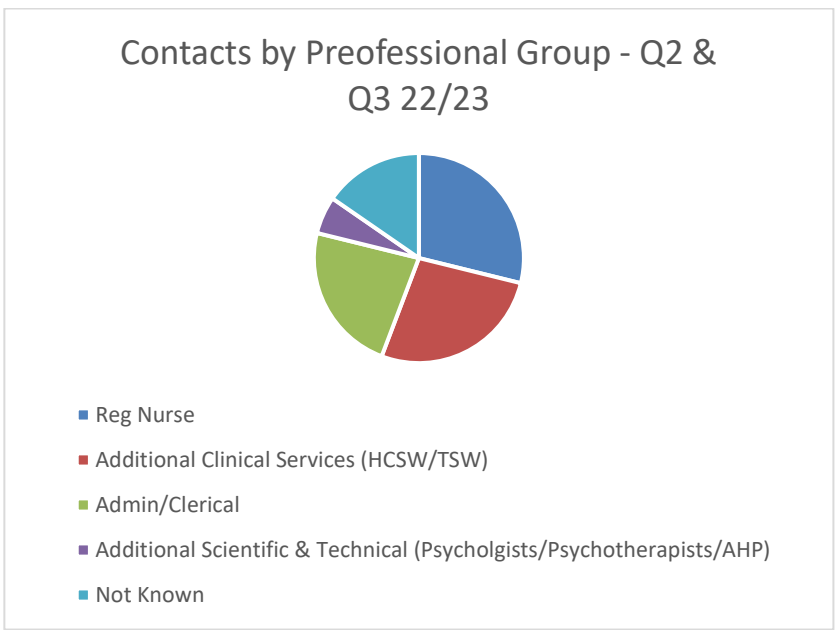
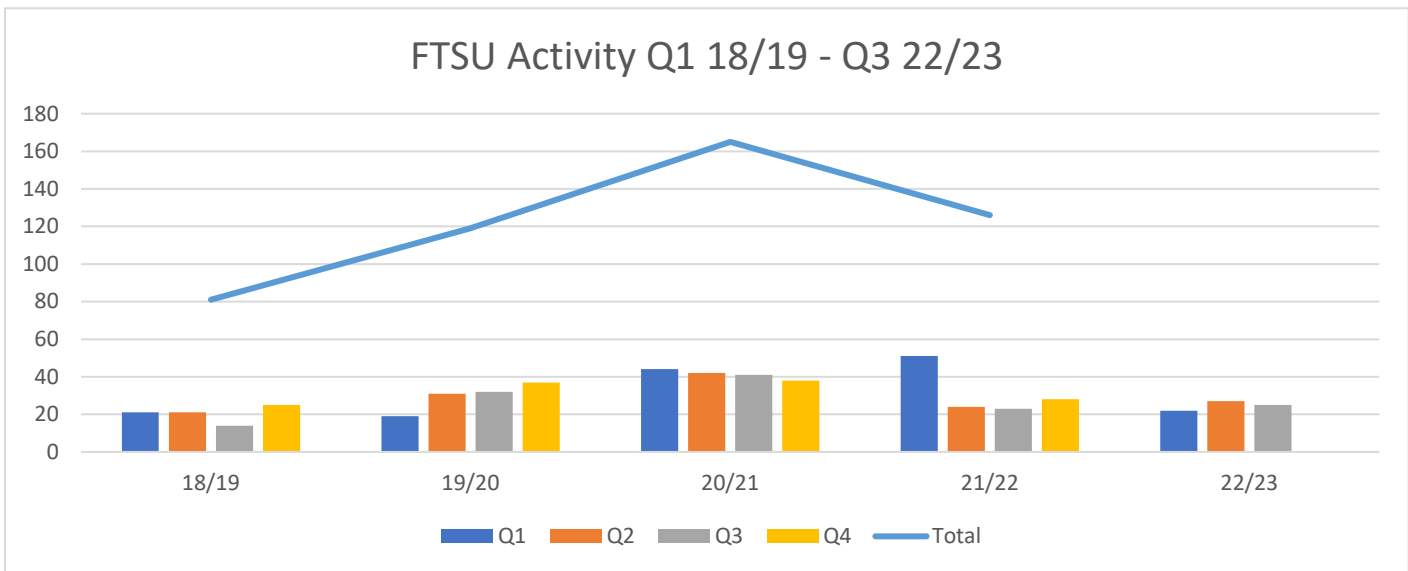
In addition, the paper contains details of activities carried out in the Trust as part of the Freedom to Speak Up work stream and updates from the National Guardians Office (NGO).

Analysis of the Issue

Part 1. Assessment of cases

Utilisation of the FTSU Process

The chart below shows the number of concerns raised per quarter during the period Q1 18/19 – Q2 22/23. Although, speak up contacts had progressively increased year on year until Q3 20/21, there is a comparative reduction in the number of contacts to between 22 and 28 per quarter. There may be many reasons for this for example: reduced physical visibility of the FTSUG across the trust during the pandemic, the increase in confidence to speak up through alternate routes, individual time and capacity to speak up or other real or perceived barriers. It is interesting to note that there are anecdotal reports of a decrease in FTSU concerns being raised across the East Midlands Regional FTSU network. This is currently unconfirmed through reported data sets.



Contacts by Professional Groups

There is a wide cross-section of the Trust workforce, that have contacted the FTSU guardian, from a variety of worker/professional groups and levels of seniority. A comprehensive definition for professional groups forms part of the updated guidance [Recording Cases and Reporting Data \(NGO 2022\)](#)

Comparative Summary of speaking up cases per directorate Q4 21/22 – Q3 22/23

The table below shows there continues to be a comparatively higher number of speaking up contacts from DMH however, this may be due in part, to workers approaching FTSU Guardian in pairs reporting similar concerns (this accounts for 4 contacts). These are always recorded individually in line with NGO guidance.

In addition, it may appear that there are comparatively fewer contacts from CHS. When these have been appropriately escalated the senior leadership often confirm that they have had similar issues raised through other speaking up routes and the information is then used together with wider intelligence across the directorate.

Service Area	Q4 21/22	Q1 22/23	Q2 22/23	Q3 22/23
DMH	17	14	14	11
CHS	4	1	4	6
Enabling	2	3	3	1
FYPC/LD	4	4	6	8
Hosted	1	0	0	0
TOTAL	28	22	27	26

Open, confidential and anonymous cases of speaking up

Generally, colleagues request that their issue be dealt with confidentially and they voice their concerns relating to future re-percussions and fear of negative behaviors/consequences as a result of speaking up. However, with support and reassurance many have felt confident to be identified and further-more discuss issues openly with their senior leaders or managers through an informal 'listening meetings'. These meetings create opportunities for staff to be listened to and to understand any future actions in response and/or achieve resolution. Feedback on this process has been positive and builds on the development of an open and transparent culture, however, fear of real or perceived negative consequences continues to create a barrier to speaking up openly. FTSU Guardians are working with representatives from HR to introduce guidance on how to escalate cases which may result in Demeaning and Disadvantageous behaviors following speaking into the Freedom to Speak Up Process.

The majority of concerns that are raised anonymously are direct reports to CQC.

22/23	No. of Contacts	Internal	External	Anonymous
Q2	22	20	2	4
Q3	26	23	3	3

Analysis of Themes

Themes highlighted in bold are reported as part of the quarterly data collection and returned to National Guardians Office.

Themes *	Q4 21/22	Q1 22/23	Q2 22/23	Q4 22/23
Patient safety & Quality	9	7	9	7
Worker Safety or Well-being	21	9	12	17
Inappropriate Attitudes & Behaviours	15	8	16	13
Bullying/Harassment	5	5	6	5
Policies, Processes, Procedures, Systems	18	10	17	15
Infrastructure/Environment	2	1	4	1
Cultural	14	4	10	9
Leadership	21	10	15	16
Senior Management Issue	3	7	2	1
Middle Management Issue	14	7	13	12

**Speak Up cases often contain multiple themes; therefore, data sets do not always equate together. Reports are recorded under the workers description.*

The nature of the role of the FTSU Guardian tends to lead to individual members of staff speaking up in relation to specific individual cases and therefore it is often difficult to see generalised themes within teams, departments, directorates or indeed across the Trust.

Patient Safety & Quality

Concerns that relate to patient safety and quality are always escalated for the information of the Directors responsible for each area and reviewed by the appropriate senior leader for the team/department or work area. Often issues may be reported as a patient safety concern, however, through discussion it often transpires that safety is seen as a concern for the staff member due to strained professional relationships. When specific concerns are raised, assurance is sought to ensure the patient safety team are aware either through eIRF reports or direct contact with the team.

There were 9 cases recorded under this category in Q2 and 7 cases in Q3. These included concerns relating to standard operating procedures and the consistent use of e-prescribing methods across community mental health teams, staff concerns relating to holistic and personalised care planning appropriate to the therapeutic placement in FYPC LD &

DMH, eIRF reporting and feedback, learning from other organisations, the responsive actions to violence and aggression (impact of previous experience on colleagues) in FYPC LD & DMH and skill mix and staffing in CHS.

Worker Safety and Wellbeing

There were a total of 29 issues raised in Q2 and Q3 under this heading and were evident across all directorates). Sub-themes of this category include individual response to incivility in the workplace, communication when introducing changes and developments in work practice, allocation of shifts/rota/roster and impact on work life balance, perceived inequity in development opportunities, confidentiality, lack of local feedback, managing violence and aggression, support following significant incidents, staff retention, morale and team cultures that don't align with Trust values. The FTSU Guardians have noted a significant number of colleagues reporting a decline in their general health and emotional wellbeing. The Guardians are aware of the vulnerability of these colleagues and the need to work more slowly and sensitively ensuring that when appropriate they are signposted to AMICA, LPT wellbeing hub, and other sources of wellbeing support.

Inappropriate Attitudes and Behaviours

There were 29 issues raised in Q2 and Q3 in this category where poor leadership behaviours are exemplified including, strained professional relationships, team culture and the development of 'cliques' or 'in and out crowd' creating toxic and divisive cultures, lack of action to manage conflict and challenging situations (lack of support to resolve these/by-standing), reported micro-management and communication style. Signposting regularly includes recommendation to undertake Leadership Behaviours and Giving and Receiving Feedback training to support the development of an open, just and learning culture. In addition, staff are supported through coaching style conversations to manage expectations, explore options available and agree future actions. Actions may include facilitated conversations, mediation or FTSU Guardian's supporting listening meetings. While colleagues are accepting that the NHS including their colleagues at LPT are under severe pressure, a number of staff have expressed anxiety about returning to work after a period of ill-health or seek employment in alternate positions either internally, externally or outside the NHS due to their working environment being an undesirable place to work.

Bullying and Harassment

There have been 11 reports in Q2 and Q3 that have included bullying or harassment as a significant part of the issue and where staff believe a behaviour is a consequence of a protected characteristic. In these cases concerns have been escalated to the Equality, Diversity and Inclusion lead and senior leader responsible for the work area to ensure they have sight of any emerging themes and are able to provide specialist advice and support early intervention as required. In other cases of behaviours involving individuals, advise and support is given to access the Anti-Bullying and Harassment advice line, informal/formal process through HR and other specialist services including Staffside as appropriate. Confidential intelligence has been provided where appropriate for consideration and learning to support writing of new or revised policies such as Bullying and Harassment Policy or Grievance Policy.

Policies, Procedures and Processes

There were 32 issues or concerns in Q2 and Q3 raised in this category. These appear to relate to policy and process and how this is interpreted and managed (by managers and Human Resources colleagues) impacting on the experience of workers and appearing to undermine the confidence in the aspirations of compassionate leadership and processes. Issues have been raised directly with HR and senior leaders within directorates to ensure they understand the reported experience and perspective. Specific queries relate to Acting-up policy, Agile Working policy and the principles of Blended working, Disciplinary Policy and Procedure, Bank staff pay progression, Probation policy and the perceived variance of job descriptions for similar roles across the organisation and subsequent Agenda for Change grading. Raising concerns relating to policies and procedures is ongoing and FTSU Guardians are working with senior leaders, managers and HR personnel to provide feedback on staff experience and support the continued reviewing, development and improvements of policies in line with our Trust values and Leadership Behaviors.

The FTSU guardian has provided specific information relating to concerns raised across each directorate which is included as intelligence in the context of wider triangulation opportunities, as part of workforce listening events or discussed as part of the response, action plan and assurance from Quality Summits for example the Central Access Point, Serious Incidents and eIRF reporting.

All issues and potential themes have been reported to the appropriate Directorate Management Teams or delegated representatives and managed at a local level. Staff that have spoken up have received ongoing feedback on the progress made to resolve issues or on the final outcome as appropriate, observing confidentiality. Concerns that are raised to external agencies by a staff member are included in the FTSU record log to ensure information is triangulated and provides opportunity for early recognition of any wider themes or trends.

Part 2. Action taken to improve speaking up culture.

FTSU Guardian Activity - Raising Awareness

The pandemic had removed many opportunities for face-to-face drop-in sessions and presentations, however, in response to changing guidance as we move to 'living with COVID-19' the FTSU guardian has planned drop-in sessions at all Community hospitals to connect directly with clinical colleagues. Face to face attendance at corporate induction sessions has been maintained to ensure that all new starters, returners, bank staff and aspirant nurses are aware of the role and have opportunity to meet the Guardian in person embedding key speaking up messages from the start of their career with LPT. Face to face attendance at the training and development sessions for Medical Trainees, student nurses, healthcare support workers and nurses on preceptorship again provide opportunities to raise the profile of speaking up.

Specific engagement events include -

- FTSUG representation at all Health and Wellbeing roadshows in 2022 (plans are in place to support future roadshow events).
- A full calendar of monthly 'Here for You' events across various hospital, alliance and administration sites in LPT and UHL supported by FTSU Guardians from LPT, UHL and the Chaplaincy Service promoting 'The Listening Ear' staff support.
- Bespoke engagement events have taken place by invitation of senior leadership, on all wards at BMHU including PICU and forensic services, The Willows, Mill Lodge, Agnes Unit, Langley Ward and inpatient ward areas at Hinckley and Bosworth hospital.
- The FTSU Guardian's promoted the National Staff survey by recording a short video accessed through the closed Facebook page and weekly newsletter.
- Linking in with virtual team meetings including Diana Service, Work force Bureau and volunteers.

The FTSUG is working collaboratively with the People Promise Manager, Health and Wellbeing Lead, Organisational Development Lead and Staff Engagement Lead to underpin and embed the key FTSU messages within these work domains. The Model Health System supported by NHS England provides data sets and will be used to provide benchmarking data across the wider NHS peer group.

Speak Up Month – October 2022

During October 2022, FTSU Guardian's supported the development of awareness raising sessions and celebrations of speaking up using themes in line with NGO communications.

Week 1 **Speak up for Safety** – Co presented virtual session with Patient Safety Lead, FTSU, Health and Safety Service

- Week 2 **Speak Up for Civility** – Co-presented virtual session with Health and Wellbeing Lead, Organisational Development Practitioners and FTSU Guardian
- Week 3 **Speak Up for Inclusion** – Co-presentation with Equality, Diversity and Inclusion Lead supported by representatives from staff support networks
- Week 4 **Speak Up for Everyone** – Joint presentation with representatives from Northamptonshire Health Care Foundation Trust, Angela Hillery, Chair of each organisation and representatives from NGO.

Evaluation of the sessions showed that feedback was positive in relation to the content of these events however, attendance was very low. There may be a number of reasons for this not least the variety of competing tasks within the working day, work duties, Health and Wellbeing activities (wellbeing Wednesday), Black History Month and Allied Health Professionals Day to name a few. Plans for Speak Up month 2023 have not been released by the NGO to date.

National Guardian Office (NGO) updates

Speak Up, Listen Up, Follow Up – Training Modules

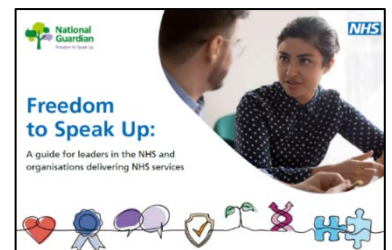


Speak Up – Core training for all workers
 Listen Up – Training for all Leaders and Managers
 Follow Up - Training for Senior Leaders

The eLearning is available on the local uLearn platform. Currently it is not mandatory but is recommended for personal development at all FTSU engagement sessions and through induction sessions. The *Follow Up* training was highlighted at the team meeting for Non-executive Directors in July 2022.

Freedom to Speak Up: A guide for leaders in the NHS [The guide for leaders in the NHS and organisations delivering NHS services](#), provides comprehensive information, advice and resources to support leaders to provide the best possible working environment – one where speaking up is not only welcomed, but valued as an opportunity to learn and improve. It identifies 8 fundamental principles

1. Value speaking up.
2. Role-model speaking up and set a healthy Freedom to Speak Up culture.
3. Make sure workers know how to speak up and feel safe and encouraged to do so.
4. When someone speaks up, thank them, listen up and follow up.
5. Use speaking up as an opportunity to learn and improve.
6. Support Freedom to Speak Up guardians to fulfil their role in a way that meets workers' needs and National Guardian's Office requirements alike.
7. Identify and tackle barriers to speaking up.
8. Know the strengths and weaknesses of the organisation's speaking-up culture and take action to continually improve.



The guide links with the Follow Up training module.

Freedom to Speak Up: A reflection and planning tool This [tool](#) recommends the senior lead for FTSU takes responsibility for completing the reflection tool and is designed to help identify strengths and any gaps that need work. It is intended to be used in conjunction with the [guide for leaders in the NHS and organisations delivering NHS services](#).

Work has commenced in relation to this project and will form part of the Board Development session Q4 22/23.

Part 3. Recommendations

Decision required

- Trust Board is asked to note the activity and actions relating to FTSU workstream.
- Confirm assurance that issues of concern are being raised and dealt with in line with the Freedom to Speak Up: Raising Concerns (Whistleblowing) policy and that the Trust Board is aware of themes and trends emerging in the organisation.
- Confirm assurance that the Trust Board are proactive in supporting and embedding a speaking up culture in the Trust

Presenting Director: Angela Hillery

Author(s): Pauline Lewitt

24/01/23

Governance table

For Board and Board Committees:	Trust Board	
Paper sponsored by:	Angela Hillery, CEO	
Paper authored by:	Pauline Lewitt, Freedom to Speak Up Guardian	
Date submitted:	23/01/23	
State which Board Committee or other forum within the Trust's governance structure, if any, have previously considered the report/this issue and the date of the relevant meeting(s):	N/A	
If considered elsewhere, state the level of assurance gained by the Board Committee or other forum i.e. assured/ partially assured / not assured:	N/A	
State whether this is a 'one off' report or, if not, when an update report will be provided for the purposes of corporate Agenda planning	6 Monthly	
STEP up to GREAT strategic alignment*:	High Standards	Yes
	Transformation	
	Environments	
	Patient Experience & Involvement	
	Well Governed	
	Reaching Out	
	Equality, Leadership, Culture	Yes
	Access to Services	
	Trustwide Quality Improvement	Yes
	List risk number and title of risk	N/A
Organisational Risk Register considerations:	N/A	
Is the decision required consistent with LPT's risk appetite:	None	
False and misleading information (FOMI) considerations:	None	
Positive confirmation that the content does not risk the safety of patients or the public	Confirmed	
Equality considerations:	None	